NPT/CONF.2015/PC.III/WP.2

Preparatory Committee for the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

11 March 2014

Original: English

Third session
New York, 28 April-9 May 2014

Regional issues: Middle East

Working paper presented by the Group of Non-Aligned States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

1. The Group of Non-Aligned States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons reaffirms that the Treaty recognizes the right of any group of States to conclude regional treaties in order to assure the total absence of nuclear weapons in their respective territories, which the Group considers to be a contribution towards the total elimination of nuclear weapons. However, the Group is of the firm belief that the establishment of nuclear-weapon-free zones does not substitute legal obligations and unequivocal undertakings of the nuclear-weapon States for the total elimination of nuclear weapons. The Group further welcomes the efforts aimed at establishing nuclear-weapon-free zones in all regions of the world and, in this regard, strongly supports the establishment of a nuclear-weapon-free zone in the Middle East.

2. The Group of Non-Aligned States Parties to the Treaty stresses the importance of the Resolution on the Middle East adopted by the 1995 Review and Extension Conference, which reaffirmed the importance of the early realization of universal adherence to the Treaty. The Group recalls that the 2000 Review Conference reaffirmed the importance of Israel's accession to the Treaty and the placement of all its nuclear facilities under comprehensive International Atomic Energy Agency (IAEA) safeguards, in realizing the goal of universal adherence to the Treaty in the Middle East.

3. The Group of Non-Aligned States Parties to the Treaty underlines furthermore that the 2010 Review Conference also reaffirmed the importance of the Resolution on the Middle East adopted by the 1995 Review and Extension Conference and recalled the affirmation of its goals and objectives by the 2000 Review Conference. The Conference also stressed that the Resolution remains valid until the goals and objectives are achieved, and that the Resolution is an essential element of the outcome of the 1995 Conference and of the basis on which the Treaty was indefinitely extended without a vote in 1995. The Group recalls also that, at the Conference, States parties renewed their resolve to undertake, individually and collectively, all necessary measures aimed at its prompt implementation.

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4. The Group of Non-Aligned States Parties to the Treaty further recalls that the 2010 Review Conference, by taking note of the reaffirmation at the 2010 Review Conference by the five nuclear-weapon States of their commitment to a full implementation of the 1995 Resolution on the Middle East, recalled the reaffirmation by the 2000 Review Conference of the importance of Israel's accession to the Treaty and the placement of all its nuclear facilities under comprehensive IAEA safeguards. The Conference also reaffirmed the urgency and importance of achieving universality of the Treaty and called on all States in the Middle East that had not yet done so to accede to the Treaty as non-nuclear-weapon States so as to achieve its universality at an early date.

5. In this context, the Group of Non-Aligned States Parties to the Treaty welcomes the adoption by consensus of a detailed plan of action on the Middle East, particularly the implementation of the 1995 Resolution on the Middle East contained in the conclusions and recommendations for follow-on actions of the 2010 Review Conference, and urges the Secretary-General and the co-sponsors of the 1995 Resolution, in consultation with the States of the region, to convene and exert utmost efforts in ensuring the success of a conference in 2012, to be attended by all States of the Middle East, on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction.[1] While recalling that the 2010 Review Conference emphasized the importance of a process leading to full implementation of the objectives of the 1995 Resolution on the Middle East, the Group stresses the importance of the full implementation of the plan of action and the active and constructive engagement by all parties concerned to allow for the success of the conference in leading to the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction.

6. The Group of Non-Aligned States Parties to the Treaty expresses deep concern over the long delay in the implementation of the 1995 Resolution on the Middle East and urges the three co-sponsors of the Resolution to fulfil their responsibility in taking all necessary measures to fully implement it without any further delay.

7. The Group of Non-Aligned States Parties to the Treaty expresses its serious concern that no progress has been achieved with regard to Israel's accession to the Treaty, and placing all its nuclear facilities under the IAEA full-scope safeguards, and over the delay in the establishment of a nuclear-weapon-free zone in the Middle East, all of which are objectives and priorities that were stressed in Review Conferences of the Treaty in 1995, 2000 and 2010.

8. The Group of Non-Aligned States Parties to the Treaty remains gravely concerned by the statement made by the then Prime Minister of Israel on 11 December 2006, in which he publicly admitted the possession of nuclear weapons by Israel. In this regard, the Group reaffirms the continued validity of the statement of the Coordinating Bureau of the Non-Aligned Movement on this subject, as contained in document NPT/CONF.2010/PC.I/19.

9. The Group of Non-Aligned States Parties to the Treaty further expresses great concern over the acquisition of nuclear capabilities by Israel, which pose a serious and continuing threat to the security of neighbouring and other States, and

[1] Participation in the conference is not meant to constitute the definition of the "Middle East", except for the purpose of the establishment of a zone free of nuclear weapons and all other weapons of mass destruction in the Middle East.

condemns Israel for continuing to develop and stockpile nuclear arsenals. The Group also reaffirms that stability cannot be achieved in a region where massive imbalances in military capabilities are maintained, particularly through the possession of nuclear weapons, which allows one party to threaten its neighbours and the region, and constitutes a threat to international peace and security.

10. The Group of Non-Aligned States Parties to the Treaty demands that Israel, the only country in the region that has neither joined the Treaty on the Non-Proliferation of Nuclear Weapons nor declared its intention to do so, renounce possession of nuclear weapons, accede to the Treaty without any precondition or further delay as a non-nuclear-weapon State, place promptly all its nuclear facilities under the IAEA full-scope safeguards in accordance with Security Council resolution 487 (1981) and conduct all its nuclear-related activities in full conformity with the non-proliferation regime, in realizing the goal of universal adherence to the Treaty, in particular in the Middle East.

11. The Group of Non-Aligned States Parties to the Treaty reaffirms that the nuclear-weapon States, in conformity with their legal obligations under article I of the Treaty, shall solemnly undertake not to transfer nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices directly or indirectly to Israel, and further undertake not, in any way, to assist, encourage or induce Israel to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices under any circumstances whatsoever.

12. The Group of Non-Aligned States Parties to the Treaty, in conformity with the Treaty, hereby declares its commitment to the effective prohibition of the transfer of all nuclear-related equipment, information, material and facilities, resources or devices, and the extension of know-how or any kind of assistance in the nuclear, scientific or technological fields to Israel, as long as it remains a non-party to the Treaty and has not placed all its nuclear facilities under the IAEA full-scope safeguards.

13. The Group of Non-Aligned States Parties to the Treaty also calls for the total and complete prohibition of the transfer, by any State, of all nuclear-related equipment, information, material and facilities, resources or devices and the extension of assistance in the nuclear-related scientific or technological fields to Israel. In this regard, the Group expresses its serious concern over Israeli scientists' continued access to the nuclear facilities of one nuclear-weapon State, which has potentially serious negative implications on the security of the region as well as the reliability of the global non-proliferation regime.

14. The Group of Non-Aligned States Parties to the Treaty reaffirms once again its determination to extend fullest cooperation and to exert utmost efforts with a view to ensuring the early establishment in the Middle East of a zone free of nuclear weapons.

15. The Group of Non-Aligned States Parties to the Treaty underlines that the Preparatory Committee should substantially focus on the Middle East by devoting sufficient time within the indicative timetable and giving all speakers the full opportunity to thereby engage in a substantive debate. The Group further recalls that the 2000 and 2010 Review Conferences stipulated that all States parties to the Treaty, particularly the nuclear-weapon States, the States of the Middle East and

other interested States, should report through the Secretariat to the President of the Review Conference, as well as the Chairs of its Preparatory Committee meetings, on the steps that they have taken to promote the achievement of such a zone and the realization of the goals and objectives of the 1995 Resolution on the Middle East. The Group further recalls that the 2010 Review Conference requested the facilitator to report to the 2015 Review Conference and its Preparatory Committee meetings.

16. In this regard, the Group of Non-Aligned States Parties to the Treaty emphasizes the importance of submitting required reports by all States parties to the Treaty, in particular the co-sponsors of the 1995 Resolution, as well as the facilitator of the 2012 conference. It is essential that the Preparatory Committee for the 2015 Review Conference conduct substantive discussions on the above-mentioned reports and evaluate the fulfilment of the commitments on the Middle East, particularly implementation of the 1995 Resolution on the Middle East, as contained in the conclusions and recommendations for follow-on actions adopted by consensus at the 2010 Review Conference.

17. Moreover, the Group of Non-Aligned States Parties to the Treaty requests the establishment of a subsidiary body to Main Committee II of the 2015 Review Conference to assess the implementation of the Resolution on the Middle East adopted by the 1995 Review and Extension Conference and reaffirmed by the Final Document of the 2000 Review Conference, as well as the conclusions and recommendations for follow-on actions of the 2010 Review Conference of the Treaty.

18. The Group of Non-Aligned States Parties to the Treaty calls for the establishment of a standing committee comprising members of the Bureau of the 2015 Review Conference to follow up intersessionally on the implementation of the recommendations by the Review Conference concerning Israel's prompt accession to the Treaty on the Non-Proliferation of Nuclear Weapons and the placement of all its nuclear facilities under the IAEA full-scope safeguards, and to report to the 2020 Review Conference and its Preparatory Committee.

19. The Group of Non-Aligned States Parties to the Treaty stresses that, as clearly stipulated by the 2010 Review Conference, the conference on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction should have been convened in the year 2012. In the First and Second Sessions of the Preparatory Committee in 2012 and 2013, the Group warned that any further delay in convening the 2012 conference would seriously jeopardize the overall implementation of the conclusions and recommendations for follow-on actions and would represent a major setback in this regard. Likewise, the Group underscored that the implementation of the 1995 Resolution on the Middle East and the convening of a successful 2012 conference are integral and essential parts of the implementation of the consensus "conclusions and recommendations for follow-on actions" of the 2010 Review Conference of the Treaty.

20. The Group of Non-Aligned States Parties to the Treaty also emphasizes, as it did in the First and Second Sessions of the Preparatory Committee, the importance of the mandated responsibility of the Secretary-General and the commitments and special responsibility of the co-sponsors of the 1995 Resolution regarding the convening of the 2012 conference. Accordingly, the Group calls upon them to accelerate their efforts to ensure the convening, without any further delay, of a successful conference. Furthermore, the Group calls upon the facilitator to exert

maximum efforts for more intensive and regular consultations and coordination, in accordance with the mandate of the 2010 Review Conference, with all States of the region on all aspects of the 2012 conference.

21. The Group of Non-Aligned States Parties to the Treaty stresses once again the special responsibility of the nuclear-weapon States, in particular the obligations and commitments of the three depositary States of the Treaty that co-sponsored the 1995 Resolution on the Middle East, to implement the Resolution. Moreover, the Group considers the implementation of the practical steps adopted by the 2010 Review Conference of the Treaty on the Middle East as a collective responsibility, since the conclusions and recommendations for follow-on actions of the 2010 Review Conference had clearly stipulated that the States parties renew their resolve to undertake, individually and collectively, all necessary measures aimed at its prompt implementation, and also underlined the reaffirmation at the 2010 Review Conference by the five nuclear-weapon States of their commitment to a full implementation of the 1995 Resolution on the Middle East.

22. While appreciating the constructive engagement and the positive reactions from all Arab countries and the Islamic Republic of Iran towards the Conference, including the announcement of their willingness to participate in the Conference, the Group of Non-Aligned States Parties to the Treaty deplores that Israel continues to undermine the convening of the Conference by not declaring its intention to participate in it.

23. The Group of Non-Aligned States Parties to the Treaty, while appreciating the efforts made by the facilitator, Mr. Jaakko Laajava, and the host Government of the 2012 conference, Finland, expresses profound disappointment over the failure of Conveners to convene the conference in 2012 as scheduled. The failure to convene the conference in 2012 contradicts and violates the collective agreement of the States parties contained in "Conclusions and recommendations for follow-on actions" adopted by the 2010 Review Conference of the Treaty and contravenes the letter and spirit of the 1995 Resolution on the Middle East. Furthermore, the Group strongly rejects the alleged impediments cited by Conveners for not convening the conference on schedule, and expresses serious concern that the third session of the Preparatory Committee for the 2015 Review Conference of the Treaty is meeting while the Conference has not been convened yet.

24. The Group of Non-Aligned States Parties to the Treaty urges the Conveners — the United Nations Secretary-General, the United States of America, the United Kingdom of Great Britain and Northern Ireland and the Russian Federation — in accordance with the mandate entrusted to them by the Conclusions and recommendations for follow-on actions of the 2010 Review Conference of the Treaty, to convene the Conference without any further delay in order to avoid any negative repercussions on the credibility of the Treaty, its 2015 Review process and the nuclear disarmament and non-proliferation regime as a whole. The Group calls on the facilitator to intensify consultations with all capitals in the region and to exert maximum efforts to that end.

25. The Group of Non-Aligned States Parties to the Treaty underscores that efforts, by the Conveners and the Facilitator, related to the Conference should be undertaken in accordance with the mandate contained in "Conclusions and recommendations for follow-on actions" adopted by the 2010 Review Conference of the Treaty, and should be focused on convening the Conference at the earliest date

in 2014 and on seeking out in advance, by the Conveners and the Facilitator of the Conference, credible assurances regarding the unconditional participation of Israel, the only country of the region that has not declared its participation in the Conference.

26. The Group of Non-Aligned States Parties to the Treaty reaffirms the need for the speedy establishment of a nuclear-weapon-free zone in the Middle East in accordance with Security Council resolution 487 (1981) and paragraph 14 of Security Council resolution 687 (1991) and the relevant General Assembly resolutions adopted by consensus. The Group is also of the view that the Conference should lead, without further delay, to the universal adherence to the Treaty in the Middle East and the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction, and to preserve the credibility of the Treaty.

27. The Group of Non-Aligned States Parties to the Treaty is determined to continue pursuing, as a matter of high priority, the implementation of the 1995 Resolution on the Middle East and section IV of the "Conclusions and recommendations for follow-on actions" of the 2010 Review Conference of the Treaty. In this regard, the Group urges all States parties, in this session of the Preparatory Committee, to shoulder their responsibility in order to prevent further negative repercussions of not implementing the 1995 Resolution on the Middle East and section IV, including the convening of the Conference, as mandated by the 2010 Review Conference of the Treaty.